

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person, desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than May 28th, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 664—Filed, May 14, 1936; 12:58 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of May A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews; Robert E. Healy; J. D. Ross; William O. Douglas.

[File No. 31-311]

IN THE MATTER OF THE APPLICATION OF INDIANAPOLIS POWER & LIGHT COMPANY, AN INDIANA CORPORATION,

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Indianapolis Power & Light Company, pursuant to Section 3 (a) (1) of the Public Utility Holding Company Act of 1935,

It is ordered, that the matter be set down for hearing on the 2nd day of June 1936, at 10:00 o'clock in the forenoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and

It is further ordered, that John H. Small, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person, desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than May 28th, 1936:

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 663—Filed, May 14, 1936; 12:57 p. m.]

*Saturday, May 16, 1936*

*No. 46*

**PRESIDENT OF THE UNITED STATES.**

**OZARK NATIONAL FOREST—ARKANSAS**

By the President of the United States of America

**A PROCLAMATION**

WHEREAS certain lands within areas adjoining the Ozark National Forest, in Arkansas, have been acquired by the

United States under authority of Sections 6 and 7 of the Act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., Title 16, Secs. 515, 516) and

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest:

NOW THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by Section 24 of the Act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, Sec. 471), the Act of June 4, 1897, 30 Stat. 1136, and Section 11 of the said Act of March 1, 1911, do proclaim that all lands of the United States within the areas shown as additions on the diagram<sup>1</sup> hereto annexed and made a part hereof are included in and reserved as a part of the Ozark National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said Act of March 1, 1911, as amended, shall upon acquisition of title thereto be permanently reserved and administered as a part of the said Forest.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2168]

[F. R. Doc. 666—Filed, May 14, 1936; 3:24 p. m.]

**APALACHICOLA NATIONAL FOREST—FLORIDA**

By the President of the United States of America

**A PROCLAMATION**

WHEREAS certain forest lands within the State of Florida have been or may hereafter be acquired by the United States of America under the authority of Sections 6 and 7 of the Act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., Title 16, Secs. 515 and 516) and

WHEREAS it appears that it would be in the public interest to designate said lands as the Apalachicola National Forest:

NOW THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America by virtue of the power vested in me by Section 24 of the Act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, Sec. 471) and by Section 11 of the said Act of March 1, 1911 (U. S. C., Title 16, Sec. 521) do proclaim that there are hereby reserved and set apart as the Apalachicola National Forest all lands of the United States within the area shown on the diagram<sup>2</sup> hereto attached and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of said Act of March 1, 1911, as amended, shall, upon their acquisition, be reserved and administered as part of said National Forest.

<sup>1</sup> See p. 409.  
<sup>2</sup> See p. 410.

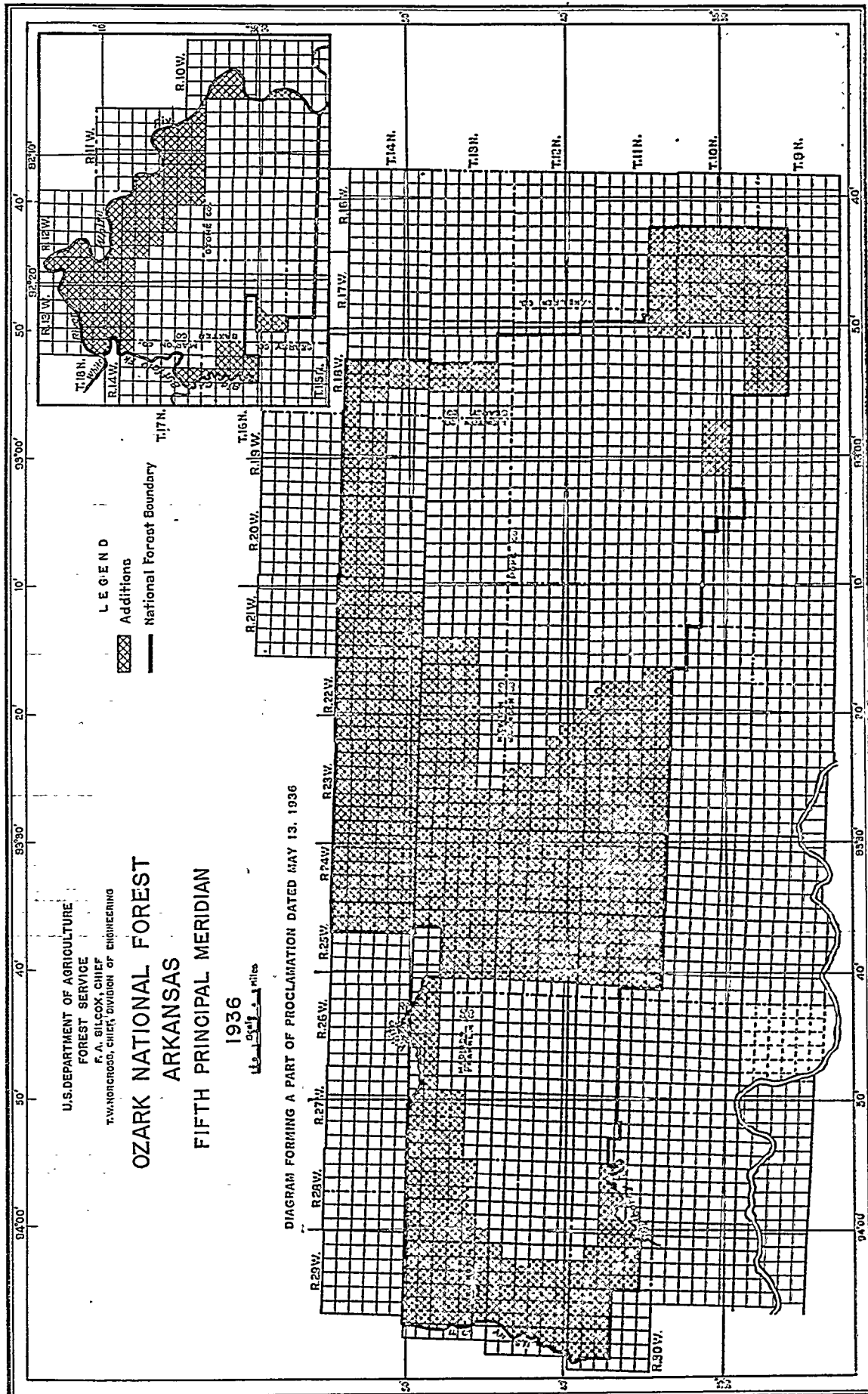


DIAGRAM ACCOMPANYING PROCLAMATION NO. 2108 APPEARING ON PAGE 408.

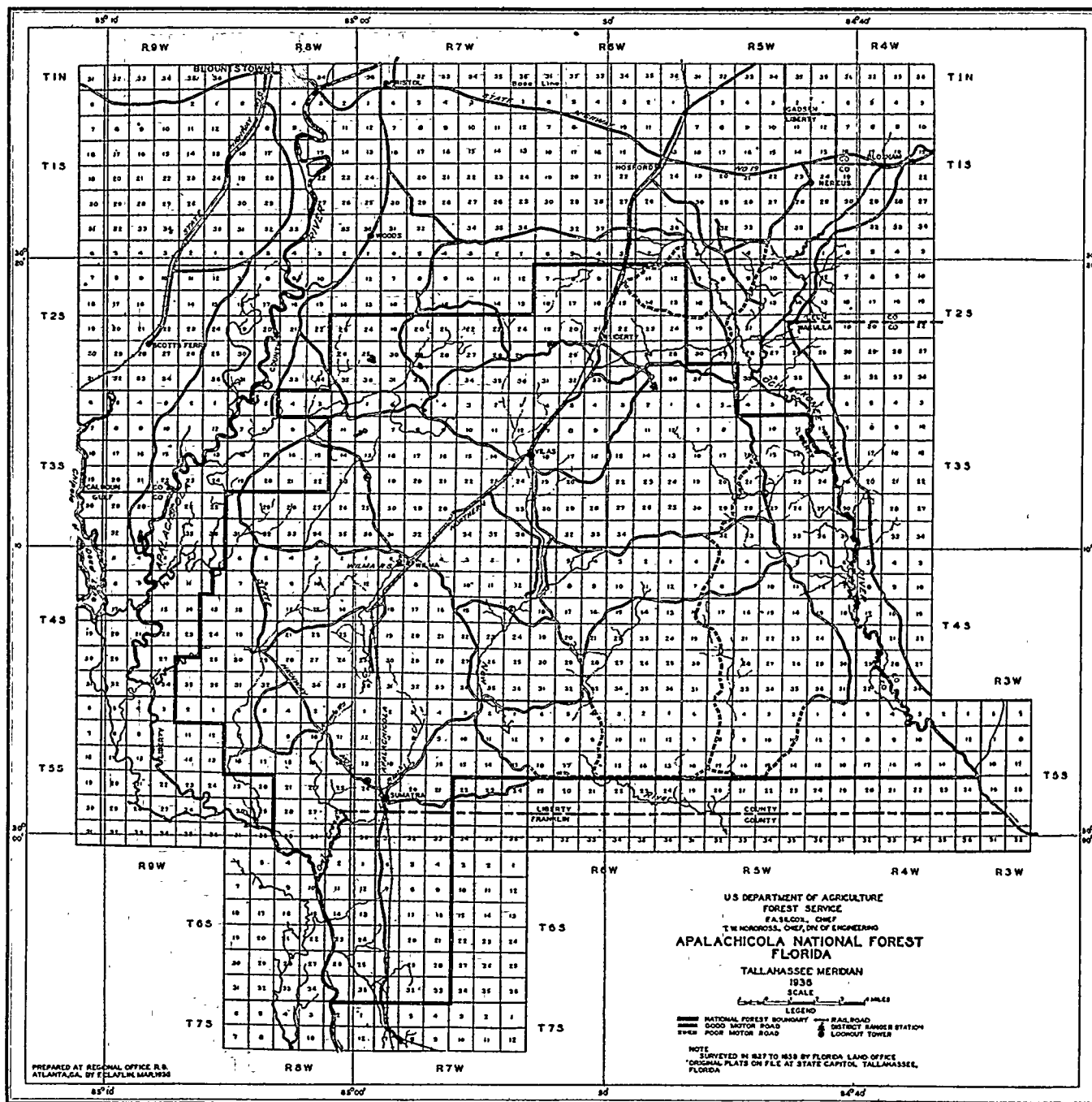


DIAGRAM ACCOMPANYING PROCLAMATION NO. 2169 APPEARING ON PAGE 408.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-six and of the independence of the United States of America, the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL  
Secretary of State.

[No. 21691]

[F. R. Doc. 667—Filed, May 14, 1936; 3:24 p. m.]

## TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48313]

AIRPORT OF ENTRY

VIKING AIRPORT AND SEAPLANE BASE, MIAMI, FLORIDA, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (49 U. S. C., 1934 ed., 177 (b)), the Viking Airport and Seaplane Base, Miami, Florida, is hereby redesignated as an Airport of Entry for the landing of aircraft from foreign countries for a period of one year from May 16, 1936.

[SEAL]

FRANK DOW,  
Acting Commissioner of Customs.

Approved, May 13, 1936.

WAYNE C. TAYLOR,  
Acting Secretary of the Treasury.

[F. R. Doc. 679—Filed, May 15, 1936; 12:46 p. m.]

## DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[General Order No. 19]

AN ORDER DIRECTING THE FILING OF COMPLAINT BY ALL DISTRICT BOARDS AGAINST CODE MEMBERS FOR FAILURE TO PAY ASSESSMENTS

Pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. Each District Board shall, within five (5) days from its receipt of this Order, make formal demand upon Code members subject to its jurisdiction for payment of all assessments theretofore levied by such District Board pursuant to the provisions of Section 4, Part I, subsection (b) of the Act and then remaining unpaid and delinquent, such demand to be made by mailing to each delinquent Code member a statement of the amount of assessment due, together with a copy of this Order.

2. Thereafter, each District Board shall, within twenty (20) days from the date of receipt of this Order, file formal report with the Commission, which report shall set forth the names of all such Code members then delinquent in the payment of assessments and the amounts of such assessments remaining unpaid, together with proof that such assessments have been levied in conformity with the regulations of the Commission and that demand for payment thereof has been made in compliance with this Order.

3. Nothing contained in this Order shall affect or impair the right of any District Board to proceed to collect such delinquent assessments by action in any court of competent

jurisdiction as authorized under Section 4, Part I, subsection (b) of the Act.

4. The Secretary of the Commission shall forthwith transmit a copy of this Order to each District Board.

Dated this 11th day of May 1936.

[SEAL]

NATIONAL BITUMINOUS COAL COMMISSION,  
By C. F. HOSFORD, JR., Chairman.

[F. R. Doc. 677—Filed, May 15, 1936; 12:03 p. m.]

[Special Order No. 40]

AN ORDER DIRECTING DISTRICT BOARDS FOR DISTRICTS NO. 1 TO 12, INCLUSIVE, TO SUBMIT COORDINATED PRICES AND SUPPORTING DATA NOT LATER THAN MAY 20, 1936

The Commission having issued its Special Orders No. 29-A, 29-B, and 29-C, all on April 8, 1936, 29-D on April 15, 1936, 29-E on April 18, 1936, 29-F on April 24, 1936, 29-G on April 20, 1936, 29-H on April 8, 1936, 29-I on April 24, 1936, 29-J on April 13, 1936, 29-K on April 25, 1936, and 29-L on April 27, 1936, approving minimum prices established by the District Boards for Districts No. 4, 1, 2, 3, 7, 8, 10, 11, 12, 6, 5, and 9, respectively, for purposes of coordination only and directing each of said District Boards thereupon to coordinate the minimum prices approved for its District with the minimum prices approved for all other Districts concerned, and it now appearing to the Commission that sufficient time has elapsed within which to accomplish coordination of the minimum prices approved by said Special Orders as ordered therein:

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. The District Board for each of Districts No. 1 to 12, inclusive, shall submit a complete schedule of minimum prices for such District coordinated as required by Section 4, Part II (b) of the Act and as directed by the above-designated Special Orders, together with the data upon which they are predicated, to the Commission on or before May 20, 1936, for its approval, disapproval, or modification thereof.

2. The predicated data directed to be submitted with the schedule of minimum prices pursuant to paragraph 1 hereof shall include (1) a statement setting forth estimates of the tonnages reasonably expected to be marketed under each of the price classifications and in each of the consuming market areas designated therein, based as nearly as feasible upon experience during the calendar year 1934; (2) any agreement established between or among the District Board and other District Boards in common consuming marketing areas, together with the data supporting such agreement; (3) in the case of any consuming market area common to such District and any other District for which no agreement has been established between the District Boards therefor, the reasons and factual information supporting the prices proposed by the District Board for application therein; and (4) all other data and information tending to justify or explain, in the light of the requirements of the Act, any differences in the prices contained in said schedule of minimum coordinated prices and the minimum prices previously approved by the Commission for purposes of coordination only.

3. Notwithstanding the failure of any of such District Boards to comply with the requirements of this Order, the Commission may proceed, at any time after May 20th, 1936, and without further notice, to establish and make effective minimum coordinated prices and to take such further action in the premises as may appear proper.

Dated this 14th day of May, 1936.

By the Commission.

[SEAL]

N. W. ROBERTS, Secretary.

[F. R. Doc. 678—Filed, May 15, 1936; 12:03 p. m.]

## FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS.

[Administrative Order No. 146]

## WATERWORKS PROJECTS—PROOF OF ADEQUACY OF QUANTITY AND QUALITY OF SUPPLY, JURISDICTION AND FINANCING CONDITIONS. (APPLICABLE TO E. R. A. PROJECTS ONLY)

MAY 13, 1936.

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| 1. Policy.                    | 5. Procedure during Development. |
| 2. Determination of Adequacy. | 6. Procedure after Development.  |
| 3. Expediting Construction.   | 7. Additional Funds.             |
| 4. Financing Development.     |                                  |

1. *Policy.*—It is the policy of the Public Works Administration that in all waterworks projects involving the development of a new or additional supply of water, no construction, the usefulness of which depends upon the quality and quantity of the supply, shall be begun until such supply has been proved as to quality and quantity to the satisfaction of the Owner and the Director of the Engineering Division.

2. *Determination of Adequacy.*—The Director of the Engineering Division shall develop such procedure and issue such instructions as may be necessary to determine the adequacy of quantity and quality of water supplies, and may delegate to Chief Engineers authority to act for him in the approval of such supplies.

3. *Expediting Construction.*—The construction program will be so planned as to permit construction of the entire project to begin as soon as a satisfactory water supply has been obtained. To this end, except in cases where serious doubt exists as to the availability of a satisfactory supply, the Owner will be encouraged to prepare contract documents, advertise for and receive bids, but not to execute contracts, for the entire project before the adequacy of the supply has been determined.

4. *Financing Development.*—(a) For a project to be financed by a Grant and by funds furnished by the Grantee, in accordance with P. W. A. Form 179, dated July 22, 1935, the cost of preparing plans, specifications, and other forms of contract documents for the entire project may be paid from an Advance Grant; but the cost of determining the adequacy of the water supply must be paid from the Grantee's own funds.

(b) For a project to be financed by a Grant and by funds obtained from the sale to the Public Works Administration of General Obligation Bonds or other tax-secured obligations of the Owner, such bonds or other obligations will be purchased by the Public Works Administration in an amount, as determined by the Director of the Engineering Division, necessary to prepare plans, specifications, and other forms of contract documents for the entire project, and to determine the adequacy of the supply. No portion of the Grant will be advanced until the supply has been proved satisfactory.

(c) For a project to be financed by Grant and by funds obtained from the sale to the Public Works Administration of Revenue Bonds or other obligations of the Owner the security for which depends on the revenues to be derived from the operation of the project, an Advance Grant in an amount to be determined by the Director of the Engineering Division but not in excess of 25% of the estimated cost of the project, will be made to the Owner to cover the cost of preparing plans, specifications, and other forms of contract documents for the entire project, and for determining the adequacy of the supply. If a 25% grant is insufficient for these purposes, Revenue Bonds will be purchased by the Public Works Administration in an amount necessary to cover such excess cost.

5. *Procedure during Development.*—The development of the water supply is under the control of the Engineering Division. During this period the Inspection Division may, at its option, provide a Resident Engineer Inspector for the project; but in the event that one is not assigned, the State Engineer Inspector will arrange for frequent visits by some member of his organization for the purpose of checking compliance with the Construction Regulations relating to the

preparation of a Detailed Estimate (P. W. Form 96), the submission of payrolls, Periodical Estimates for Partial Payment (P. W. Form I-23), and other reports required to record the work being done. The progress of the work will be reported on the Weekly Construction Report (P. W. Form I-3) in accordance with the instructions relating to the use of this form.

6. *Procedure after Development.*—After a supply of water has been developed and accepted as satisfactory by the Owner and the Director of the Engineering Division, the usual procedure governing the grant and bond purchase requisitions and the construction of the remainder of the project under the jurisdiction of the Inspection Division will be followed.

7. *Additional Funds.*—(a) If a satisfactory water supply is not obtained by the expenditure of the funds as limited in Section 4 above, or

(b) If the investigations undertaken to locate a satisfactory supply indicate, because of unforeseen construction difficulties, the necessity for additional works or other similar elements, and that the cost of the project will exceed the funds available,

no further grants or purchase of bonds will be made by the Public Works Administration until and unless the Owner supplies such additional funds as may be necessary, in the opinion of the Director of the Engineering Division, to carry on further investigations to develop a satisfactory supply and to construct a complete and satisfactory project.

8. This Order is issued under authority of Executive Order No. 7064, of June 7, 1935.

HAROLD L. ICKES, *Administrator.*

[F. R. Doc. 668—Filed, May 14, 1936; 4:04 p. m.]

## FEDERAL POWER COMMISSION.

[Order No. 41]

PRESCRIBING A RULE GOVERNING APPLICATIONS TO HOLD POSITIONS AS OFFICERS OR DIRECTORS UNDER SECTION 305 (B) OF THE FEDERAL POWER ACT, AND RESCINDING ORDERS NOS. 32 AND 33

The Commission, finding it necessary and appropriate for carrying out the provisions of the Federal Power Act, hereby prescribes the following rule governing applications for authorization to hold positions as officers or directors under section 305 (b) of the Act.

Orders Nos. 32 and 33, adopted October 2, 1935, are hereby rescinded except as to applications heretofore made thereunder and any action taken thereon.

*General Provisions*

1. An order authorizing the holding of positions as provided by section 305 (b) of Part III of the Federal Power Act will be granted only upon application therefor made as herein-after provided by the persons seeking to hold such positions.

2. The positions subject to this rule shall include those of any person elected or appointed to perform the duties or functions or any of the duties or functions ordinarily performed by a director, president, vice president, secretary, treasurer, comptroller, chief purchasing agent or officer, or any other person invested with executive authority in any company within the purview of section 305 (b).

3. An application may be made in anticipation of election or appointment to a position or positions within the purview of section 305 (b).

4. Regardless of any action which may have been taken by this Commission upon a previous application under section 305 (b), an application for approval under such section shall be made with reference to any position or positions not covered by such previous application whenever such position or positions in and of themselves or together with positions covered by such previous application are within the scope of said section.

*Contents of Application*

## 5. Each application shall state the following:

- a. The full name, occupation, business address, place of residence, and post office address of the applicant;
- b. Any other application or applications under section 305 (b) made by the applicant, together with date and docket number thereof and the action thereon, if any;
- c. The name and address of each and every public utility with which the applicant holds any position as officer or director, together with the following information:

(1) Each and every position held with such companies for which authorization is sought;

(2) The date and manner of applicant's election or appointment thereto;

(3) A statement whether or not each public utility listed hereunder owns or operates facilities for the transmission of electric energy across state lines or for the wholesale sale of electric energy in interstate commerce, or is otherwise physically interconnected with electric utility companies so engaged.

- d. The name and address of each and every bank, trust company, banking association, or firm that is authorized by law to underwrite or participate in the marketing of securities of a public utility with which the applicant holds position of officer or director, together with the following information:

(1) Each and every position held with such companies for which authorization is sought;

(2) The date and manner of applicant's election or appointment thereto;

(3) A statement that each bank, trust company, banking association, or firm listed hereunder, is authorized by law to underwrite or participate in the marketing of securities of a public utility; or, in lieu thereof, an attorney's opinion to the same effect subscribed by such attorney;

(4) A statement whether each bank, trust company, banking association or firm listed hereunder is actively engaged as part of the regular course of its business in underwriting or participating in the marketing of securities of a public utility, and, if not a part of its regular course of business, a general statement as to when it last engaged in such a transaction or transactions and whether it intends to do so in the future; in either event, a statement of what issues of public utility securities it has handled within the past 12 months;

(5) A statement whether each banking association or firm listed hereunder has the status of an underwriter of or dealer in securities by commonly accepted meaning or by virtue of state or other federal laws;

- e. Name and address of each and every company supplying electrical equipment to any public utility listed pursuant to paragraph 5c above, with which the applicant holds any position as officer or director, together with the following information:

(1) Each and every position held with such companies for which authorization is sought;

(2) The date and manner of applicant's election or appointment thereto;

(3) A statement showing which equipment companies supply which public utilities, the approximate annual dollar volume of such business, and a list setting forth in a general way the type or articles of electrical equipment supplied to such public utilities;

- f. A statement showing:

(1) The financial interest of the applicant in each company listed pursuant to the foregoing requirements, including the kinds and amounts of securities, stocks, bonds, notes, or evidences of indebtedness of any kind, held or owned, directly or indirectly, by the applicant, or in which applicant has an interest;

- (2) The amount and character of any indebtedness of the applicant to each of the companies listed pursuant to the foregoing requirements, together with a concise statement showing the manner in which such indebtedness arose and the consideration therefor;

- (3) All professional or business relationships of applicant to the companies listed;

g. A statement in full with respect to the physical, financial, and corporate relationship existing between and among the companies listed, indicating by chart, map, or otherwise, the financial and corporate relationship of any or all such companies to each other and to parent holding or holding-operating companies (accurately described) and the extent to which the properties of such companies are physically integrated. A statement as to whether any competition exists between and among any of the companies listed; Any charts or maps heretofore filed with the Commission by any of the public utilities involved may be incorporated into the application by the applicant's appropriate reference thereto accurately describing the circumstances or proceedings pursuant to which such filing occurred, and a statement by the applicant requesting the Commission, in behalf of the applicant, to consider the information contained in such charts or maps in connection with the application hereunder;

- h. A statement describing:

(1) The number of meetings of the Board of Directors of each company listed which the applicant, as a director thereof, has personally attended since his election thereto, the place of such meeting, the average amount of time spent in such meetings, and the number of meetings held in the regular course of business pursuant to by-laws or statutory requirements;

(2) The duties which the applicant, as an officer, performs in the regular course of each office held, the average amount of time required in the performance of such duties and the places of performance thereof.

*Form of Application*

6. An original and two copies of each application and each supplement required by this rule shall be filed with the Commission. Each copy shall bear the dates and signatures that appear on the original and shall be complete in itself, but the signature in the copies may be stamped or typed and the notarial seal may be omitted. The application shall be submitted in typewritten or printed form on paper not more than 8½ inches wide and not more than 11 inches long with a left-hand margin of 1½ inches, and if typewritten, the impression must be on only one side of the paper and must be double-spaced.

*Verification of Application*

7. The original application shall be signed by the individual applicant, verified under oath in substantially the following form:

STATE OF \_\_\_\_\_ } ss:  
County of \_\_\_\_\_

The undersigned, being first duly sworn upon his oath, deposes and says: That he is the applicant in the foregoing application (or supplemental application); that he has read said application (or supplemental application) and knows the contents thereof; that all of the statements contained therein are true and correct to the best of his knowledge and belief.

Applicant.

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

[SEAL]

Notary Public.

*Supplemental Applications*

8. In the event of a change or changes in the information set forth in an application, by the applicant's election or appointment to another or other positions in companies within the purview of section 305 (b), the application shall immediately and formally be supplemented by the applicant

setting forth all the data required by this Order with respect to the new position or positions.

#### Supplemental Information

9. In the event of the applicant's resignation, withdrawal, or failure of reelection or appointment in respect to any of the positions for which authorization has been granted by the Commission, or in the event of any other material or substantial change, the applicant shall, within 30 days after any change occurs, give notice thereof to the Commission setting forth the position, company, and date of termination therewith, or other material or substantial change.

10. If an applicant has heretofore made application for authorization under said section 305 (b), such applicant shall, upon the request of the Commission and with 30 days therefrom, supplement such application with any information required by this rule which was not contained in such application.

Adopted by the Commission on May 12, 1936.

[SEAL] LEON M. FUQUAY, Acting Secretary.

[F. R. Doc. 669—Filed, May 15, 1936; 9:32 a. m.]

#### ORDER SETTING HEARING

STAMFORD LIGHT, HEAT AND POWER COMPANY AND GREEN MOUNTAIN POWER CORPORATION

[IT-5382-M]

Stamford Light, Heat and Power Company and Green Mountain Power Corporation having filed on April 17, 1936, an application under Section 203, Part II of the Federal Power Act, for the approval of the sale by the former company and purchase by the latter company of all the facilities of the former in consideration of a payment of \$10,000 cash:

It is ordered:

That a hearing on the above application be held in the Commission's hearing room, 417 Machinists Building, 9th and Mt. Vernon Place NW., Washington, D. C., at 10 a. m., May 26, 1936.

Adopted by the Federal Power Commission on May 12, 1936.

[SEAL] LEON M. FUQUAY, Acting Secretary.

[F. R. Doc. 671—Filed, May 15, 1936; 9:32 a. m.]

#### ORDER SETTING HEARING

MONTANA-DAKOTA UTILITIES COMPANY

[IT-5385(S)]

Montana-Dakota Utilities Company having filed on May 5, 1936, an application under Section 204, Part II of the Federal Power Act, for authority to issue and sell \$12,500,000 First Mortgage Sinking Fund Bonds, 4½% series A due May 1, 1956, and to execute an indenture of mortgage, dated May 1, 1936, to Northwestern National Bank and Trust Company of Minneapolis and Charles V. Smith, Trustees, to secure said bonds, and for authority to issue and sell \$2,450,000 of Serial Debentures, due serially May 1, 1937-May 1, 1943, and to execute an indenture, due May 1, 1936, to First National Bank and Trust Company of Minneapolis, Trustee, to secure said indentures, for the purpose of refunding presently outstanding bond issues:

It is ordered:

That a hearing be held on the above application on Tuesday, May 19, 1936, at 10 a. m., in the Commission's hearing room, 417 Machinists Building, 9th and Mt. Vernon Place NW., Washington, D. C.

Adopted by the Federal Power Commission on May 5, 1936.

[SEAL] LEON M. FUQUAY, Acting Secretary.

[F. R. Doc. 670—Filed, May 15, 1936; 9:32 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

#### ORDER

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 8th day of May A. D. 1936.

No. 13535 ET AL.—CONSOLIDATED SOUTHWESTERN CASES  
INVESTIGATION & SUSPENSION DOCKET NO. 3130—SOUTHWESTERN RATES

No. 27401—WROUGHT PIPE AND FITTINGS

Upon further consideration of the records in the above-entitled proceedings in No. 13535 et al., being the proceedings, except Nos. 15217 and 15231, listed in the first paragraph in the margin of the first page of the report of the Commission made and filed in said proceedings on April 5, 1927, as said report is published and appears in volume 123 of the Interstate Commerce Commission Reports at page 203 et seq.; upon consideration of the voluntary withdrawal by respondents, pursuant to authority granted by the Commission's order of April 9, 1936, entered pursuant to section 6 of the Interstate Commerce Act, of the suspended schedules in the above-entitled proceeding in Investigation and Suspension Docket No. 3130 so far as they embraced proposed rates on wrought-iron and wrought-steel pipe and fittings and related articles; and for good cause appearing:

It is ordered, That the said proceedings in No. 13535 et al. be, and they are hereby, reopened for further hearing upon the question of reasonable and otherwise lawful rates for application to the transportation of cast-iron pipe and fittings and related articles, in straight and mixed carloads, between the points embraced in said proceedings.

It is further ordered, That the Commission shall, and it does hereby, upon its own motion, institute an investigation, in the above-entitled proceeding in No. 27401, into and concerning the question of reasonable and otherwise lawful rates for application to the transportation of wrought-iron and wrought-steel pipe and fittings and related articles, in straight and mixed carloads, between the points embraced by the aforesaid proceedings in No. 13535 et al., for the purpose of making such findings and entering such order or orders as the facts found to exist shall appear to require, said several articles being as follows:

- Pipe, steel or wrought iron, welded or seamless.
- Pipe, plate or sheet.
- Pipe, riveted, steel or wrought iron.
- Pipe connections, couplings, and fittings, iron or steel, not plated, or iron or steel body, not plated.
- Meter, stopcock, and valve boxes, cast iron.
- Connecting bolts and nuts, washers, packing, or wedges in barrels, boxes, kegs, or burlap bags, in mixed carloads with cast-iron pipe and/or fittings.
- Iron-body well-pipe screens or strainers.
- Valves, iron or iron body.

It is further ordered, That all common carriers by railroad subject to the Interstate Commerce Act and operating between points embraced by the aforesaid proceedings in No. 13535 et al., be, and they are hereby made respondents in and to said No. 27401; that a copy of this order be served upon each of said respondents; and that notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C.

It is further ordered, That said respective proceedings designated and defined in the next three preceding paragraphs hereof be assigned for hearing June 9, 1936, at the Hotel Galvez, Galveston, Texas, 10 o'clock a. m., standard time, before Examiner Taylor; and that the record heretofore made in said Investigation and Suspension Docket No. 3130 respecting rates on said wrought-iron and wrought-steel pipe and fittings and related articles shall become and be part of the record which shall be made pursuant hereto.

And it is further ordered, That, the hereinbefore mentioned withdrawal of the suspended schedules in said Inves-

tigation and Suspension Docket No. 3130 having left nothing further for determination in that proceeding, said proceeding is hereby discontinued.

By the Commission.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 665—Filed, May 14, 1936; 2:34 p. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 6th day of May A. D. 1936.

[Docket No. BMC 50002]

#### APPLICATION OF E. A. BOWLES FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Edwin A. Bowles, Individual, of Maryville, Mo., Doing Business as Overland Transport Company, for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Petroleum Products, in Interstate Commerce, Between Arkansas City, Wichita, Eldorado, Augusta, Florence, and Emporia, Kans., to Topeka, Kans. From Topeka, Kans., to Carroll, Iowa, via Atchison, Kans., St. Joseph, Mo., serving Persia and Dunlap, Iowa, Omaha, Nebr., Moorhead and Panama, Iowa, and Maryville, Mo.

*It appearing*, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered*, That the above-entitled matter be, and it is hereby, referred to Examiner P. C. Coyle for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

*It is further ordered*, That this matter be set down for hearing before Examiner P. C. Coyle, on the 8th day of June A. D. 1936, at 9 o'clock a. m. (standard time), at the Chamber of Commerce Rooms, Kansas City, Mo.;

*And it is further ordered*, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 672—Filed, May 15, 1936; 11:45 a. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 4th day of May A. D. 1936.

[Docket No. BMC 50019]

#### APPLICATION OF J. W. HILLEARY FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of James William Hilleary, of 934 Maryland Avenue, Cumberland, Md., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, Between Cumberland, Md., and New York, N. Y., and Philadelphia, Harrisburg, Pittsburgh, and York, Pa., and the District of Columbia.

*It appearing*, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered*, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

*It is further ordered*, That this matter be set down for hearing before Examiner T. B. Johnston, on the 25th day of May A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.;

*And it is further ordered*, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 673—Filed, May 15, 1936; 11:45 a. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 6th day of May A. D. 1936.

[Docket No. BMC 50027]

#### APPLICATION OF EDGAR LOVE FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Edgar Love, of Hatton, Ark., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Lumber, in Interstate Commerce, from Hatton, Ark., to Destinations in the States of Arkansas, Oklahoma, Kansas, and Missouri.

*It appearing*, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered*, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

*It is further ordered*, That this matter be set down for hearing before Examiner D. C. Dillon, on the 5th day of June, A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Marion, Little Rock, Ark.;

*And it is further ordered*, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 674—Filed, May 15, 1936; 11:45 a. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 5th day of May A. D. 1936.

[Docket No. BMC 50051]

#### APPLICATION OF H. E. MORRIS AND WILLIE UHRICH, COPARTNERS, FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Henry Emmett Morris and Willie Uhrich, Copartners, Doing Business as Morris and Uhrich, of Disputanta, Va., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce Over the Following Routes:

1. From Petersburg, Va., to New York, N. Y., via Richmond, Va., Washington, D. C., and Baltimore, Md., over U. S. Highway 1, thence to Wilmington, Del., via U. S. Highway 40, thence to Philadelphia, Pa., via U. S. Highway 13, thence to New York, N. Y., via U. S. Highways 1 and 13.
2. Irregular operations as follows: From Raleigh, N. C., to destination points within the States of North Carolina and Virginia.

*It appearing*, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered*, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

*It is further ordered*, That this matter be set down for hearing before Examiner T. B. Johnston on the 27th day of May A. D. 1936, at 10 o'clock a. m. (Standard time), at

the office of the Interstate Commerce Commission, Washington, D. C.,

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 675—Filed, May 15, 1936; 11:46 a. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 6th day of May, A. D. 1936.

[Docket No. BMC-50080]

APPLICATION OF J. P. WATSON FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of James P. Watson, of 195-201 McKinley Avenue, East Orange, N. J., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Household Goods in Interstate Commerce, Between All Points Within the States of New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, Maryland, Delaware, and the District of Columbia.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. E. Stephan on the 28th day of May, A. D. 1936, at 9 o'clock a. m. (standard time) at the Hotel Pennsylvania, New York, N. Y.,

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 676—Filed, May 15, 1936; 11:46 a. m.]

### SECURITIES AND EXCHANGE COMMISSION.

#### SECURITIES ACT OF 1933

##### AMENDMENT NO. 21 TO INSTRUCTION BOOK FOR FORM A-2

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, and finding that any information or documents specified in Schedule A of that Act which Form A-2 and the book of instructions accompanying that form, as hereby amended, do not require to be set forth, are inapplicable to the class of securities to which such form is appropriate, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement, and that such information or documents as Form A-2 and the accompanying book of instructions, as hereby amended, require to be set forth, but which are not specified in Schedule A, are necessary and appropriate in the public interest or for the protection of investors, hereby amends Form A-2 and the book of instructions accompanying that form, as follows:

At the end of the instructions to Item 45, as amended, and immediately preceding the instructions to Item 45 (a) the following additional paragraphs are added:

No information need be furnished under this item as to any subsidiary, whether consolidated or unconsolidated, for a date prior to that at which the registrant, or a predecessor as described in the next paragraph, acquired control, directly or in-

directly of such subsidiary by the ownership of securities representing more than 50% of the voting power other than as affected by events of default.

Information shall be furnished under this item as to a predecessor of the registrant, if—

(1) The registrant is the successor to a predecessor and at the time of such succession continued under substantially the same ownership and control as such predecessor; and

(2) The registrant succeeded to: either (a) substantially all the assets of such predecessor, or (b) a substantial portion thereof and such portion was segregated on the books of such predecessor.

In case the foregoing conditions exist, the information required shall be furnished not only as to the entries made respectively in the books of the predecessor or the registrant, but also as to the changes effected by means of the transaction by which the assets were transferred from such predecessor to the registrant.

The complete instructions to Item 45, as amended, read as follows:

ITEM 45. This item does not call for an audit, but only for a survey or review of the accounts named:

No information need be furnished under this item as to any subsidiary, whether consolidated or unconsolidated, for a date prior to that at which the registrant, or a predecessor as described in the next paragraph, acquired control directly or indirectly of such subsidiary by the ownership of securities representing more than 50% of the voting power other than as affected by events of default.

Information shall be furnished under this item as to a predecessor of the registrant, if—

(1) The registrant is the successor to a predecessor and at the time of such succession continued under substantially the same ownership and control as such predecessor; and

(2) The registrant succeeded to: either (a) substantially all of the assets of such predecessor, or (b) a substantial portion thereof and such portion was segregated on the books of such predecessor.

In case the foregoing conditions exist, the information required shall be furnished not only as to the entries made respectively in the books of the predecessor or the registrant, but also as to the changes effected by means of the transaction by which the assets were transferred from such predecessor to the registrant.

ITEM 45 (a) This item does not refer to adjustments made in the ordinary course of business, but only to major revaluations made for the purpose of entering in the books current values, reproduction costs, or any values other than original cost.

ITEM 45 (b) This item relates only to restatements which have resulted in transfers from capital stock liability to surplus or reserves. No statements need be made as to restatements resulting from the declaration of stock dividends.

The foregoing amendment shall be effective upon publication, provided that any registrant filing on Form A-2 prior to June 15, 1936, may, at its option, be governed by the form and instruction book as existing prior to this amendment.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 661—Filed, May 14, 1936; 12:57 p. m.]

#### SECURITIES ACT OF 1933

##### AMENDMENT NO. 22 TO INSTRUCTION BOOK FOR FORM A-2

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, and finding that any information or documents specified in Schedule A of that Act which Form A-2 and the book of instructions accompanying that form, as hereby amended, do not require to be set forth, are inapplicable to the class of securities to which such form is appropriate, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement, and that such information or documents as Form A-2 and the accompanying book of instructions, as hereby amended, require to be set forth, but which are not specified in Schedule A, are necessary and appropriate in the public interest or for the protection of investors, hereby amends Form A-2 and the book of instructions accompanying that form, as follows:

In the Instructions as to Financial Statements in the Instruction Book for Form A-2, under Section 1, captioned "Financial Statements of the Registrant and its Subsidiaries" there is added a new paragraph designated (f) reading as follows:

(f) No financial statements need be furnished as to a foreign subsidiary if all the following conditions exist:

1. A specific reserve against loss on investments in and advances to such foreign subsidiary has been established in an amount substantially equal to the amount at which such investments and advances are carried;

2. During the period for which profit and loss statements are filed, no income has been taken up by the registrant directly or indirectly from such foreign subsidiary;

3. Such foreign subsidiary is organized and does the principal part of its business in a country from which, on account of governmental restrictions, the withdrawal of income is prohibited or seriously impeded.

In case the financial statements of any such foreign subsidiary are so omitted, a note shall be added to the balance sheet or to Schedule I stating the following: (a) the fact that financial statements of such subsidiary or subsidiaries have been omitted; (b) the circumstances which bring each such subsidiary within the conditions set forth above; (c) the amount of the investment in and advances to each such subsidiary; and (d) the source or sources of the reserve established and the date or dates when allocated to the investment in and advances to the particular subsidiary. If the financial statements of more than one foreign subsidiary are so omitted, the information required in the note may be given for such subsidiaries as a group.

The foregoing amendment shall be effective immediately upon publication.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 662—Filed, May 14, 1936; 12:57 p. m.]

Tuesday, May 19, 1936

No. 47

## DEPARTMENT OF AGRICULTURE

### Bureau of Animal Industry.

[Amendment 6 to B. A. I. Order 350]

#### REGULATIONS GOVERNING THE RECOGNITION OF BREEDS AND PUREBRED ANIMALS

#### AMENDING REGULATION 2, SECTION 3, PARAGRAPH 1, RECOGNIZING BREEDS AND BOOKS OF RECORD ACROSS THE SEAS

[Effective on and after May 15, 1936]

Regulation 2, Section 3, Paragraph 1, of the regulations governing the recognition of breeds and purebred animals, effective under date of July 1, 1935, and identified as B. A. I. Order 350, is hereby amended so as to include and recognize for the purposes enumerated thereunder the following breeds and book of record:

#### Docs

Name of breed: Various recognized breeds.

Book of record: Livre des Origines Français.

By whom published: Societe Centrale Canine pour l'Amelioration des Races de Chiens en France, Mr. P. Bert, Secretary, 38, Rue des Mathurins, Paris, 8, France.

Done at Washington this 15th day of May, 1936.

Witness my hand and the seal of the Department of Agriculture.

[SEAL]

R. G. TUGWELL,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 680—Filed, May 15, 1936; 1:35 p. m.]

## BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

### TRUST POWERS OF NATIONAL BANKS

#### REGULATION F<sup>1</sup>

[Superseding Regulation F, Series of 1930. This Regulation as printed herewith is in the form as revised effective June 1, 1936]

#### CONTENTS

Authority for Regulation.

Sec. 1. Applications.

Sec. 2. Consideration of Applications.

Sec. 3. Consolidation of Two or More National Banks.

<sup>1</sup> Any inquiry relating to this regulation should be addressed to the Federal Reserve bank of the district in which the inquiry arises.

Sec. 4. Consolidation of State Bank with National Bank.

Sec. 5. Change of Name.

Sec. 6. Trust Department and Management.

(a) Separate trust department.

(b) Directors' supervision of trust department.

(c) Trust investment committee.

(d) Executive officer.

(e) Competent legal counsel.

(f) Principles of trust institutions.

Sec. 7. Books and Accounts.

(a) In general.

(b) Record of pending litigation.

Sec. 8. Examinations of Trust Department.

Sec. 9. Trust Funds Awaiting Investment or Distribution.

(a) In general.

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Sec. 10. Investment of Trust Funds.

(a) Private trusts.

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Sec. 11. Purchase or Sale of Trust Assets to or from Trustee Bank or Its Directors, Officers, or Employees.

(a) Obligations of trustee bank or its directors, officers, etc.

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(c) Dealings between trust accounts.

Sec. 12. Custody of Trust Securities and Investments.

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Sec. 14. Compensation of Bank.

(a) In general.

(b) Officer or employee of bank as co-fiduciary.

Sec. 15. Insolvency or Voluntary Liquidation of Bank.

(a) Insolvency.

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Sec. 16. Surrender of Trust Powers.

(a) Procedure.

(b) Words "Trust Company" as part of bank's title.

(c) Examination of trust department.

(d) Certificate of Board of Governors of the Federal Reserve System.

Sec. 17. Board Forms.

#### AUTHORITY FOR REGULATION

This regulation is issued under authority of the provisions of section 11 (k) of the Federal Reserve Act, as amended, which, together with related provisions of law, are published in the Appendix hereto.<sup>2</sup>

#### SECTION 1. APPLICATIONS

A national bank desiring to exercise any or all of the powers authorized by section 11 (k) of the Federal Reserve Act, as amended, shall make application to the Board of Governors of the Federal Reserve System for a special permit authorizing such national bank to exercise such powers. If the applying bank is not authorized to exercise any of such powers, the application should be made on Form 61; and if the applying bank is authorized to exercise one or more but not all of such powers, the application should be made on Form 61b.

In the case of the organization of a new national bank, the conversion of a State bank or trust company into a national bank, or the consolidation of two or more national banks or of a State bank or trust company with a national bank under the charter of the latter, when none of the national banks involved in such consolidations is authorized to exercise trust powers, application for such a permit may be made in advance on behalf of the new, converted, or consolidated national bank, and the permit may be issued simultaneously with the consummation of such organization, conversion, or consolidation. Such application may be made by the organizers in the case of a new national bank, by the State bank or trust company in the case of a conversion, and by the national bank the charter of which is to be retained in the case of a consolidation.

Each application made under the provisions of this section shall be executed and forwarded in duplicate, together with duplicate copies of any documents containing any information submitted with the application, to the Federal Reserve bank in the district in which the applying bank is located.

#### SECTION 2. CONSIDERATION OF APPLICATIONS

In passing upon an application for permission to exercise the fiduciary powers authorized by section 11 (k) of the

<sup>2</sup> Not printed herein. See U. S. C., 1934 ed. and Supp. I, Title 12, sec. 248 (k).